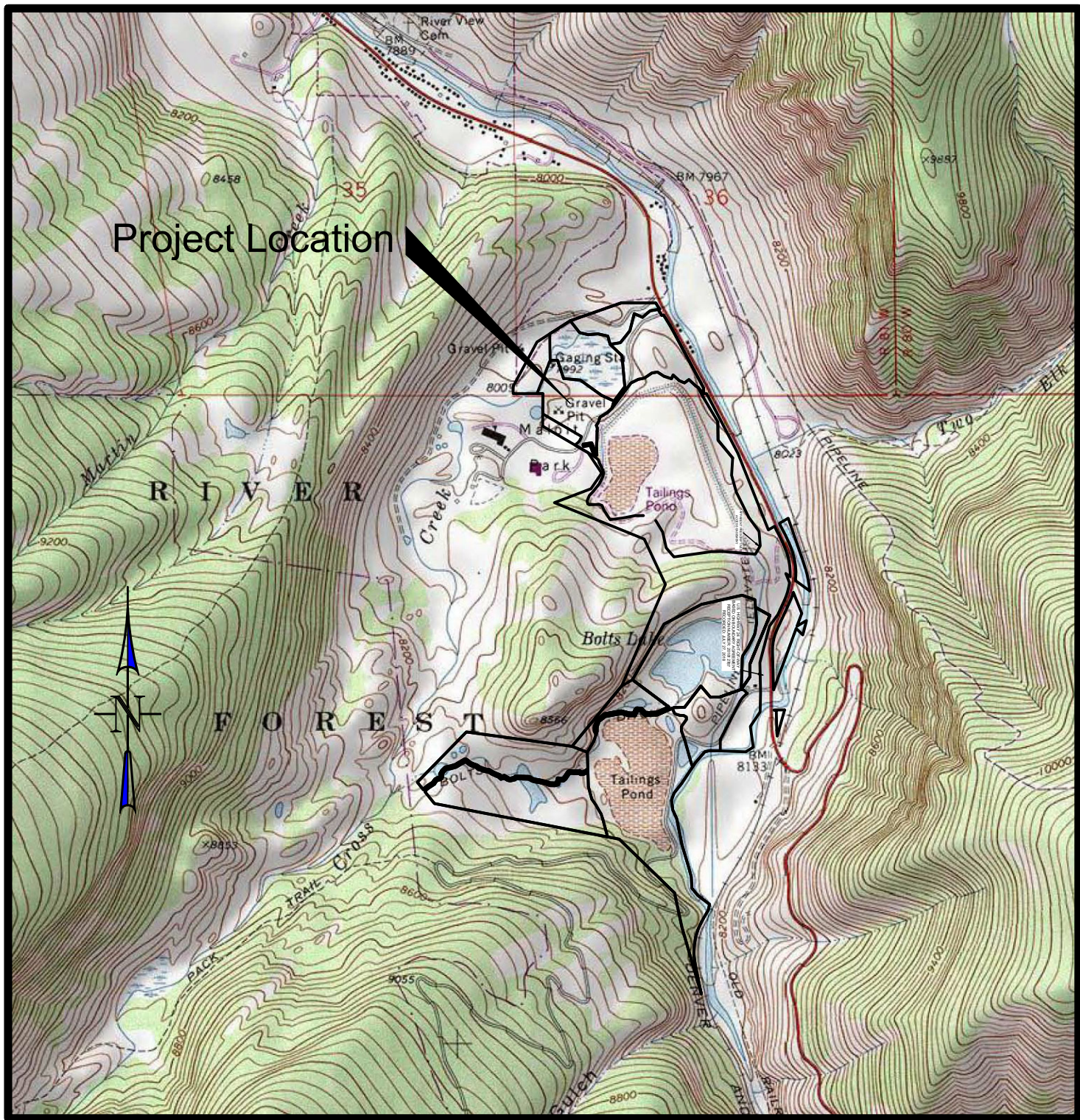




VICINITY MAP
SCALE: 1" = 2000'

EXEMPTION PLAT NOTES:

The purpose of this Exemption Plat is for the creation of legally conveyable (but not developable prior to recording of an approved final plat) exemption plat parcels in accordance with the requirements of Sec. 17-6-80 – Bolts Lake Exemption Plat Process, Minturn Municipal Code (MMC).

Land Not Developable. The landowner(s) of the exemption plat parcels created pursuant to this exemption plat and other parties having an interest in such exemption plat parcels hereby acknowledge that no development is permitted on such exemption plat parcels prior to recording of an approved final plat for the land included in this exemption plat. This exemption plat and the exemption plat parcels created pursuant to this exemption plat only provide for the ability to legally convey such exemption plat parcels pursuant to Section 17 6 80 of the Town Code. Subsequent applications for preliminary plat(s) and final plat(s) will be required to be processed and approved, and such approved final plat(s) must be recorded, in order to create developable lots and other parcels within the exemption plat parcels created pursuant to this exemption plat.

Municipal Water Service. The landowner(s) of the lots, tracts, blocks or parcels created pursuant to this plat and other parties having an interest in such hereby acknowledge that the Town will not provide, and will have no obligation to provide municipal water service to the lots, tracts, blocks or parcels, or any improvements located within the lots, tracts, blocks or parcels. In consideration of the Town's approval of this plat, the landowner(s) and other parties having an interest in the property that have executed this plat, by so executing this plat, and all successor owners of the lots, tracts, blocks or parcels created pursuant to this plat or other parties having an interest therein, by taking title to or acquiring an interest in such, knowingly and intentionally waive any and all right to disconnection of the property arising under C.R.S. § 31 12 119 and based on failure to provide municipal services on the same general terms and conditions as the rest of the Town receives, to the extent based on the Town not providing the lots with municipal water service as described herein.

Parcel Nos. 3, 4, 10, and 12 ("Restricted Parcels") may only be conveyed to:

- any of the Battle North Metropolitan District Nos. 1 & 4;
- the Town of Minturn pursuant to the Town of Minturn's exercise of its purchase option pursuant to a separately recorded restrictive covenant;
- to another special district, governmental or quasi-governmental entity, or other public or private entity; provided, however, with respect to a conveyance of Parcel Nos. 3 or 4 only, such entity has sufficient financial capacity, as determined by the Town of Minturn in its reasonable discretion, to perform the landowner's legal obligations as Battle North, LLC's successor pursuant to the Agreement Pertaining to Acquisition for Bolts Lake Reservoir dated February 9, 2021 by and among Eagle River Water and Sanitation District, Upper Eagle Regional Water Authority and Battle North, LLC; or
- if the Environmental Protection Agency ("EPA")/Colorado Department of Public Health and Environment ("CDPHE") has approved conveyance of the applicable Restricted Parcel pursuant to, and the entity acquiring a Restricted Parcel executes the consents and certifications required pursuant to Section 9 of, the Administrative Settlement Agreement and Order on Consent for Response Action and Release and Waiver of CERCLA §107(r) Lien, Docket No. CERCLA-08-2018-009.

CERTIFICATE OF OWNERSHIP

Know all men by these presents that Battle North, LLC being sole owner(s) in fee simple of all that real property situated in the Town of Minturn, Eagle County, Colorado, as described in the legal description provided hereon, containing 371.4102 acres more or less; have by these presents laid out and platted the same as shown on this plat under the name and style of BATTLE MOUNTAIN NORTH EXEMPTION PLAT, an exemption plat of lands in the Town of Minturn.

EXECUTED this _____ day of _____, A.D., 20____.

Battle North, LLC
P.O. Box 56
64 Railroad Avenue
Minturn, CO 81654

STATE OF COLORADO)
JSS
COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____ day of _____, A.D. 20____, by: _____

My Commission expires _____.
Witness my hand and official seal.

Notary Public

(SEAL)

CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of _____ upon all parcels of real estate described on this plat are paid in full.

Dated this _____ day of _____, A.D., 20____.

Treasurer of Eagle County

MINTURN TOWN CERTIFICATE

This plat is approved by the Town Council of the Town of Minturn, County of Eagle, State of Colorado this _____ day of _____, 20____, for filing with the Clerk and Recorder of the County of Eagle, Colorado.

WITNESS MY HAND AND THE SEAL OF THE TOWN COUNCIL OF THE TOWN OF MINTURN

BY: ATTEST:

MAYOR
TOWN OF MINTURN, COLORADO

TOWN CLERK
TOWN OF MINTURN, COLORADO

SURVEYOR'S CERTIFICATE

I, Michael Gamba do hereby certify that I am a Professional Land Surveyor licensed to practice land surveying under the laws of the State of Colorado, that this subdivision plat is a true, correct and complete plat of the BATTLE MOUNTAIN NORTH EXEMPTION PLAT as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and/or under my supervision and accurately shows the location and dimensions of the lots, easements and rights of way of said plat as the same are monumented upon the ground in compliance with applicable regulation governing the subdivision of land, that such plat is based upon the professional land surveyor's knowledge, information and belief, that such plat has been prepared in accordance with applicable standards of practice, and that such plat is not a warranty or warranty, either expressed or implied.

In Witness Whereof, I have set my hand and seal this _____ day of _____, A.D., 20____.

SEAL Colorado Licensed Professional Land Surveyor
Michael Gamba
License Number 28036

TITLE CERTIFICATE

_____ does hereby certify that it has examined the Title to all lands shown upon this Plat and that Title to such lands is vested in _____, free and clear of all liens, and encumbrances, except as follows: _____

Dated this _____ day of _____, A.D., 20____.

AGENT: _____

COUNTY SURVEYOR'S CERTIFICATE

Deposited this _____ day of _____, 20____, at _____m. in Book _____ of the Eagle County Surveyor's Land Survey Plats/Rights-of-Way Surveys at Page _____. This Land Survey Plat complies with Section 38-51-102, of the Colorado Revised Statutes.

County Surveyor

CLERK AND RECORDERS CERTIFICATE

This Plat was filed for record in the Office of the Clerk and Recorder of Eagle County at _____ o'clock _____M., on this _____ day of _____, 20____, and is duly recorded at Reception No. _____.

Clerk and Recorder

BY
Deputy

BATTLE MOUNTAIN NORTH EXEMPTION PLAT

Sixteen parcels of land located in Sections 1, 2, and 11 of Township 6 South, Range 81 West of the Sixth Principal Meridian, Eagle County, Colorado and Section 36 of Township 5 South, Range 81 West of the Sixth Principal Meridian, Eagle County, Colorado

EXEMPTION PLAT BOUNDARY LEGAL DESCRIPTION:

Description of Parcel of Land Containing Exemption Parcels 1 through 5 and 9 through 16:
A parcel of land located in Sections 1, 2 and 11 of Township 6 South, Range 81 West of the Sixth Principal Meridian and Section 36 of Township 5 South, Range 81 West of the Sixth Principal Meridian and consisting of the following parcels: Mineral Survey 20712 - Treasury Vault Mill Site; Mineral Survey 20712 - Gold Star Mill Site; a portion of H.E.S. #1; and Mineral Survey 20745 - Mars Mill Site; along with those portions of the following parcels situated westerly of the western right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787: Nelson Addition (Book 131 Page 76); H.E.S. #40; H.E.S. #46; and Mineral Survey 20461 - Ruby Lode; along with those portions of the following parcel situated westerly of the western right-of-way for the Union Pacific Railroad as described in the D&RGW Right-of-Way and Track Map dated June 30, 1918: Mineral Survey 19500 - Brooklyn Placer; and excepting therefrom the following parcels: the parcel described in Book 380 Page 574; the Reservoir Parcel, the Dam Parcel and the Cross Creek Parcel as described in the Special Warranty Deed Recorded at Reception No. 202203229; the Inlet Parcel as described in said Special Warranty Deed Recorded at Reception No. 202203229 and as described in the Affidavit Concerning Conflicts in Descriptions of Land and Scrivener's Errors as Recorded at Reception No. 202203221; and the Rex Flat Area as described below and depicted hereon.

Said parcel is also described as being all of Tract A as described in the Land Survey Plat titled Battle Mountain North Recorded at Reception No. 201814343, and excepting therefrom the following parcels: the Reservoir Parcel, the Dam Parcel and the Cross Creek Parcel as described in the Special Warranty Deed Recorded at Reception No. 202203229; the Inlet Parcel as described in said Special Warranty Deed Recorded at Reception No. 202203229 and as described in the Affidavit Concerning Conflicts in Descriptions of Land and Scrivener's Errors as Recorded at Reception No. 202203221; and the Rex Flats Parcel as described below and depicted hereon.

Said parcel being more particularly described as follows:
Beginning at the Southwest corner of a parcel of land described in Book 131 page 76 said point also being the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap found in place whence the South Quarter corner of said Section 36 being a 2-1/2 inch GLO Brass Cap found in place bears N 89°58'35" E a distance of 2,694.09 feet; thence the following five courses along the northwesterly boundary of said parcel described in Book 131 page 76:
1. N 00°25'54" W a distance of 59.96 feet along the west line of said Section 36;
2. N 28°13'19" E a distance of 715.35 feet;
3. N 57°23'50" E a distance of 557.58 feet;
4. N 70°47'50" E a distance of 762.18 feet;
5. N 89°58'50" E a distance of 601.19 feet to a point on said westerly right-of-way of U.S. Highway 24;
thence the following two courses along said westerly right-of-way of U.S. Highway 24:
1. 57.85 feet along the arc of a non-tangent curve to the left having a radius of 756.30 feet, a central angle of 04°22'58", and the chord bears S 30°38'24" E a distance of 57.84 feet;
2. S 32°47'53" E a distance of 46.35 feet to a point on the northerly boundary of a parcel of land described in a Special Warranty Deed recorded at Reception No. 201514284;

thence the following three courses along said parcel described in Reception No. 201514284:
1. S 57°17'27" W a distance of 21.85 feet;
2. S 32°42'33" E a distance of 88.54 feet;
3. N 80°39'32" E a distance of 23.97 feet to a point on said westerly right-of-way of U.S. Highway 24;
thence the following three courses along said westerly right-of-way of U.S. Highway 24:
1. S 32°47'53" E a distance of 54.60 feet;
2. 228.45 feet along the arc of a non tangent curve to the right having a radius of 2,825.00 feet, a central angle of 04°38'00", and the chord bears S 30°28'53" E a distance of 228.39 feet;
3. S 28°09'53" E a distance of 895.89 feet to a point on the easterly boundary of said parcel described in Book 131 page 76;
thence along said easterly boundary S 00°10'02" W a distance of 77.04 feet to the South Quarter corner of said Section 36 being a 2-1/2 inch GLO Brass Cap found in place said point also being Angle Point 1 of Homestead Entry Survey (H.E.S.) No. 46, Township 6 South, Range 81 West of the Sixth Principal Meridian; thence along line 1-2 of said H.E.S. No. 46 S 89°38'32" E a distance of 41.61 feet to a point on said westerly right-of-way of U.S. Highway 24; thence the following two courses along said westerly right-of-way of U.S. Highway 24:
1. S 28°09'53" E a distance of 149.51 feet;
2. S 27°31'53" E a distance of 807.35 feet to a point on line 1-2 of Homestead Entry Survey (H.E.S.) No. 40 Township 6 South, Range 81 West of the Sixth Principal Meridian;

thence along said line 1-2 of H.E.S. No. 40 S 21°45'15" E a distance of 1,161.84 feet to a point on line 1-2 of Mineral Survey 20461 "Ruby Lode"; thence along said line 1-2 of Mineral Survey 20461 "Ruby Lode" N 59°21'27" E a distance of 100.96 feet to a point on said westerly right-of-way of U.S. Highway 24; thence the following six courses along said westerly right-of-way of U.S. Highway 24:
1. S 24°28'39" E a distance of 31.22 feet;
2. 76.61 feet along the arc of a tangent curve to the left having a radius of 800.00 feet, a central angle of 05°29'13", and the chord bears S 27°07'29" E a distance of 76.58 feet;
3. 75.27 feet along the arc of a tangent curve to the right having a radius of 800.00 feet, a central angle of 05°23'27", and the chord bears S 27°17'27" E a distance of 75.24 feet;
4. S 24°28'38" E a distance of 57.10 feet;
5. S 24°28'39" E a distance of 79.86 feet;
6. 436.38 feet along the arc of a non tangent curve to the right having a radius of 915.00 feet, a central angle of 27°19'32", and the chord bears S 10°48'52" E a distance of 432.26 feet to a point on line 2-3 of said Mineral Survey 20461 "Ruby Lode"; thence along said 2-3 line of Mineral Survey 20461 "Ruby Lode" N 53°55'33" W a distance of 74.99 feet to a point on said line 1-2 of H.E.S. No. 40; thence along said line 1-2 of H.E.S. No. 40 S 21°45'15" E a distance of 140.75 feet to a point on said westerly right-of-way of U.S. Highway 24; thence the following six courses along said westerly right-of-way of U.S. Highway 24:
1. 282.58 feet along the arc of a non tangent curve to the right having a radius of 915.00 feet, a central angle of 16°26'33", and the chord bears S 16°31'05" W a distance of 261.68 feet;
2. S 34°44'22" W a distance of 216.35 feet;
3. S 35°45'52" W a distance of 205.41 feet;
4. S 14°36'41" W a distance of 53.15 feet;
5. S 01°19'09" E a distance of 429.27 feet;
6. S 01°29'41" W a distance of 268.53 feet to a point on line 3-4 of said H.E.S. No. 40;

thence along said 3-4 line of H.E.S. No. 40 S 33°56'45" W a distance of 246.93 feet to Angle Point 4 of said H.E.S. No. 40 said point also being Angle Point 8 of Homestead Entry Survey (H.E.S.) No. 41, Township 6 South, Range 81 West of the Sixth Principal Meridian; thence along line 7-8 of said H.E.S. No. 41 S 08°01'04" E a distance of 294.82 feet to the center of the Eagle River, said point also being on the boundary of the Rex Flats exception parcel; thence the following fifteen courses along said center of the Eagle River and boundary of the Rex Flats Exception Parcel:
1. S 98°05'40" W a distance of 123.33 feet;
2. N 88°07'29" W a distance of 508.08 feet;
3. S 76°34'22" W a distance of 74.00 feet;
4. S 40°53'40" W a distance of 200.00 feet;
5. S 33°39'49" W a distance of 356.97 feet;
6. S 38°27'21" W a distance of 172.00 feet;
7. S 19°18'51" W a distance of 106.00 feet;
8. S 07°08'39" E a distance of 140.00 feet;
9. S 24°28'48" E a distance of 132.00 feet;
10. S 11°21'54" E a distance of 374.00 feet;
11. S 16°33'40" E a distance of 326.72 feet;
12. S 15°15'49" E a distance of 154.00 feet;
13. S 02°48'58" E a distance of 158.00 feet;
14. S 39°00'16" E a distance of 132.00 feet;
15. S 53°11'20" E a distance of 209.22 feet to a point on said westerly right-of-way of the Union Pacific Railroad;

Thence the following two courses along said westerly right-of-way of the Union Pacific Railroad:
1. 37.95 feet along the arc of a non tangent curve to the left having a radius of 836.49 feet, a central angle of 02°35'59", and the chord bears S 13°13'40" W a distance of 37.95 feet, said curve being parallel to and offset 100.00-feet westerly from the centerline of the eastern corridor of said Union Pacific Railroad;
2. 47.98 feet along the arc of a tangent curve to the left having a radius of 3,919.72 feet, a central angle of 00°42'05", and the chord bears S 11°34'44" W a distance of 47.98 feet, said curve being parallel to and offset 100.00-feet westerly from the centerline of the eastern corridor of said Union Pacific Railroad;
Thence the following five courses along said westerly right-of-way of the Union Pacific Railroad, said right-of-way being parallel to and offset 25.00 feet westerly from the centerline of the western corridor of said Union Pacific Railroad:
1. S 30°39'47" W a distance of 44.76 feet;
2. 141.71 feet along the arc of a tangent curve to the left having a radius of 4,816.15 feet, a central angle of 01°41'09", and the chord bears S 29°48'12" W a distance of 141.70 feet;
3. 577.95 feet along the arc of a tangent curve to the left having a radius of 873.26 feet, a central angle of 37°55'13", and the chord bears S 10°01'01" W a distance of 567.46 feet;
4. 132.72 feet along the arc of a tangent curve to the left having a radius of 2,684.59 feet, a central angle of 02°49'57", and the chord bears S 10°21'34" E a distance of 132.70 feet;
5. S 11°46'32" E a distance of 338.53 to a point on line 5-6 of Mineral Survey 19500 "Brooklyn Placer"; thence along said line 5-6 of Mineral Survey 19500 "Brooklyn Placer" N 16°11'23" W a distance of 982.56 feet to Angle Point 6 of said Mineral Survey 19500 "Brooklyn Placer"; thence along line 6-7 of said Mineral Survey 19500 "Brooklyn Placer" N 12°07'10" W a distance of 434.47 feet to Angle Point 3 of Mineral Survey 20745 "Mars Mill Site"; thence along line 2-3 of said Mineral Survey 20745 "Mars Mill Site" N 45°47'44" W a distance of 1,091.01 feet to Angle Point 2 of said Mineral Survey 20745 "Mars Mill Site" said point also being on line 5-6 of said H.E.S. No. 41;

thence the following two courses along said H.E.S. No. 41:
1. along line 5-6 N 79°06'56" W a distance of 2,661.26 feet to Angle Point 5;
2. along line 4-5 N 38°40'30" W a distance of 209.77 feet to a point on the southern boundary of said Cross Creek Parcel as described in the Special Warranty Deed Recorded at Reception No. 202203229;
Thence the following 106 courses along the boundary of said Cross Creek Parcel:
1. thence N 32°39'21" E a distance of 34.75 feet;
2. thence N 51°22'40" E a distance of 51.83 feet;
3. thence N 57°17'27" E a distance of 89.93 feet;
4. thence N 28°51'58" E a distance of 24.41 feet;
5. thence N 37°59'43" E a distance of 29.27 feet;
6. thence N 59°32'43" E a distance of 22.18 feet;
7. thence N 79°41'59" E a distance of 25.13 feet;
8. thence N 59°28'21" E a distance of 30.15 feet;
9. thence N 29°02'02" E a distance of 29.94 feet;
10. thence N 01°30'29" E a distance of 23.62 feet;
11. thence N 15°41'15" W a distance of 14.06 feet;
12. thence N 30°19'19" E a distance of 37.81 feet;
13. thence N 45°20'15" E a distance of 51.79 feet;
14. thence N 80°43'22" E a distance of 53.65 feet;
15. thence N 74°01'07" E a distance of 86.71 feet;
16. thence N 59°51'42" E a distance of 150.01 feet;
17. thence S 78°40'51" E a distance of 4.88 feet;
18. thence S 50°54'02" E a distance of 69.09 feet;
19. thence S 65°56'54" E a distance of 56.39 feet;
20. thence S 72°43'32" E a distance of 40.40 feet;
21. thence S 55°22'06" E a distance of 55.95 feet;
22. thence S 71°34'21" E a distance of 90.41 feet;
23. thence S 81°19'45" E a distance of 47.48 feet;
24. thence S 57°21'03" E a distance of 46.85 feet;

25. thence S 64°54'54" E a distance of 57.96 feet;
26. thence S 69°30'00" E a distance of 40.60 feet;
27. thence S 46°49'29" E a distance of 50.03 feet;
28. thence N 71°56'14" E a distance of 49.41 feet;
29. thence S 29°11'01" E a distance of 52.28 feet;
30. thence S 74°03'40" E a distance of 40.77 feet;
31. thence N 77°15'36" E a distance of 75.21 feet;
32. thence N 47°40'31" E a distance of 20.60 feet;
33. thence N 89°12'17" E a distance of 46.16 feet;
34. thence S 87°39'42" E a distance of 129.61 feet;
35. thence S 59°38'48" E a distance of 51.42 feet;
36. thence S 71°30'33" E a distance of 35.23 feet;
37. thence S 82°12'51" E a distance of 58.44 feet;
38. thence S 77°43'20" E a distance of 102.54 feet;
39. thence S 70°35'49" E a distance of 69.37 feet;
40. thence S 67°25'05" E a distance of 67.65 feet;
41. thence N 76°07'16" E a distance of 57.57 feet;
42. thence N 13°39'39" E a distance of 56.99 feet;
43. thence S 85°50'53" E a distance of 54.56 feet;
44. thence N 50°35'41" E a distance of 44.30 feet;
45. thence N 34°29'42" E a distance of 94.91 feet;
46. thence N 69°09'13" E a distance of 10.47 feet;
47. thence S 86°10'16" E a distance of 77.30 feet;
48. thence N 84°39'57" E a distance of 44.39 feet;
49. thence S 53°23'43" E a distance of 27.94 feet;
50. thence N 88°59'36" E a distance of 39.34 feet;
51. thence N 65°07'19" E a distance of 52.13 feet;
52. thence N 54°04'58" E a distance of 22.36 feet;
53. thence N 11°51'41" W a distance of 38.71 feet;
54. thence N 14°44'58" W a distance of 1.99 feet;
55. thence S 54°04'58" W a distance of 36.08 feet;
56. thence S 65°07'19" W a distance of 39.81 feet;
57. thence N 88°59'36" W a distance of 17.27 feet;
58. thence N 53°23'43" W a distance of 26.64 feet;
59. thence S 84°39'57" W a distance of 56.51 feet;
60. thence N 86°10'16" W a distance of 83.45 feet;
61. thence S 69°09'13" W a distance of 31.70 feet;
62. thence S 34°29'42" W a distance of 101.73 feet;
63. thence S 50°35'41" W a distance of 22.66 feet;
64. thence N 85°50'53" W a distance of 72.54 feet;
65. thence S 13°39'39" W a distance of 66.59 feet;
66. thence S 76°07'16" W a distance of 27.53 feet;
67. thence N 87°25'05" W a distance of 55.95 feet;
68. thence N 70°35'49" W a distance of 65.35 feet;
69. thence N 77°43'20" W a distance of 108.59 feet;
70. thence N 82°12'51" W a distance of 54.26 feet;
71. thence N 71°30'33" W a distance of 27.33 feet;
72. thence N 59°38'48" W a distance of 57.24 feet;
73. thence N 87°39'42" W a distance of 140.68 feet;
74. thence S 89°12'17" W a distance of 62.32 feet;
75. thence S 47°40'31" W a distance of 25.21 feet;
76. thence N 77°15'36" W a distance of 54.42 feet;
77. thence N 74°03'40" W a distance of 24.97 feet;
78. thence N 88°11'01" W a distance of 65.31 feet;
79. thence S 71°56'14" W a distance of 46.33 feet;
80. thence N 46°49'29" W a distance of 34.38 feet;
81. thence N 69°30'00" W a distance of 56.02 feet;
82. thence N 64°54'54" W a distance of 53.72 feet;
83. thence N 57°21'03" W a distance of 52.70 feet;
84. thence N 81°19'45" W a distance of 52.56 feet;
85. thence N 71°34'21" W a distance of 81.30 feet;
86. thence N 55°22'06" W a distance of 56.36 feet;
87. thence N 72°43'32" W a distance of 44.10 feet;
88. thence N 65°50'54" W a distance of 48.74 feet;
89. thence N 50°54'02" W a distance of 73.00 feet;
90. thence N 76°40'51" W a distance of 30.12 feet;
91. thence S 59°31'42" W a distance of 161.00 feet;
92. thence S 74°01'07" W a distance of 79.28 feet;
93. thence S 80°43'22" W a distance of 64.07 feet;
94. thence S 45°20'15" W a distance of 69.92 feet;
95. thence S 30°19'19" W a distance of 60.07 feet;
96. thence S 15°41'15" E a distance of 25.00 feet;
97. thence S 01°30'29" W a distance of 1.70 feet;
98. thence S 29°02'02" W a distance of 2.98 feet;
99. thence S 59°28'21" W a distance of 12.12 feet;
100. thence S 79°41'59" W a distance of 25.11 feet;
101. thence S 59°32'43" W a distance of 36.90 feet;
102. thence S 37°59'43" W a distance of 40.08 feet;
103. thence S 28°51'58" W a distance of 17.48 feet;
104. thence S 57°17'27" W a distance of 81.66 feet;
105. thence S 51°22'40" W a distance of 60.49 feet;
106. thence S 32°39'21" W a distance of 27.83 feet to a point on said line 4-5 of H.E.S. No. 41;

thence the following four courses along the boundary of said H.E.S. No. 41:
1. along line 4-5 N 38°40'30" W a distance of 133.34 feet to Angle Point 4;
2. along line 3-4 N 44°15'35" E a distance of 992.47 feet to Angle Point 3;
3. along line 2-3 S 82°15'42" E a distance of 1,508.05 feet to Angle Point 2;
4. along line 1-2 N 39°24'50" E a distance of 1,104.62 feet to Angle Point 1 said point also being Angle Point 5 of H.E.S. No. 40;

thence the following two courses along said H.E.S. No. 40:
1. along line 5-6 N 23°21'23" E a distance of 1,584.21 feet to Angle Point 6;
2. along line 6-7 N 25°10'25" W a distance of 707.81 feet to Angle Point 2 of Mineral Survey 20712 "Gold Star Mill Site"; thence along line 2-3 of said Mineral Survey 20712 "Gold Star Mill Site" N 67°56'00" W a distance of 967.24 feet to Angle Point 1 of said Mineral Survey 20712 "Gold Star Mill Site" said point also being Angle Point 3 of Mineral Survey 20712 "Treasury Vault Mill Site"; thence along line 3-4 of said Mineral Survey 20712 "Treasury Vault Mill Site" N 67°56'00" W a distance of 403.10 feet to Angle Point 4 of said Mineral Survey 20712 "Treasury Vault Mill Site" said point also being on line 3-4 of said H.E.S. No. 46; thence along line 3-4 of said H.E.S. No. 46 N 69°12'24" E a distance of 553.58 feet to a point on a parcel described in Book 380 Page 574; thence the following four courses along the easterly boundary of said parcel described in Book 380 Page 574:
1. N 34°17'20" E a distance of 269.23 feet;
2. N 33°47'30" W a distance of 346.69 feet;
3. N 59°40'30" W a distance of 743.48 feet;
4. N 00°15'50" E a distance of 459.11 feet to a point on line 1-7 of said H.E.S. No. 46 said point also being on the South line of said Section 36;
thence along said line 1-7 of H.E.S. No. 46 and along the South line of said Section 36 S 89°58'35" W a distance of 420.19 feet to the Point of Beginning, containing 0.081485 acres more or less.

Excepting therefrom the following parcel:

Reservoir, Dam and Inlet Exception Parcel:
A parcel of land consisting of the Reservoir Parcel and the Dam Parcel as described in the Special Warranty Deed Recorded at Reception No. 202203229; and the Inlet Parcel in the Affidavit Concerning Conflicts in Descriptions of Land and Scrivener's Errors as Recorded at Reception No. 202203221; said Exception Parcel being more particularly described as follows:
Beginning at a point on the westerly boundary of said Reservoir Parcel as described in the Special Warranty Deed Recorded at Reception No. 202203229, whence Angle Point 1 of said H.E.S. #41, said point also being Angle Point 5 of said H.E.S. #40, bears S 60°17'10" W a distance of 176.92 feet; thence the following five courses along the boundary of said Reservoir Parcel:
1. thence N 29°33'21" E a distance of 904.04 feet;
2. thence N 62°05'59" E a distance of 597.19 feet;
3. thence N 77°20'34" E a distance of 590.72 feet;
4. thence S 70°32'11" E a distance of 192.32 feet;
5. thence S 03°57'24" E a distance of 107.38 feet to a point on the northern boundary of said Dam Parcel as described in the Special Warranty Deed Recorded at Reception No. 202203229;

thence the following four courses along the boundary of said Dam Parcel:
1. thence S 61°06'46" E a distance of 234.05 feet;
2. thence S 22°22'09" W a distance of 746.23 feet;
3. thence S 00°00'00" E a distance of 181.43 feet;
4. thence S 34°56'03" W a distance of 213.62 feet

7. thence N 75°30'49" W a distance of 119.31 feet;
8. thence S 80°01'14" W a distance of 226.60 feet;
9. thence S 51°21'28" W a distance of 119.19 feet;
10. thence S 10°13'05" W a distance of 23.36 feet;
11. thence S 23°04'54" W a distance of 18.18 feet;
12. thence S 17°36'42" W a distance of 18.93 feet;
13. thence S 02°34'28" E a distance of 35.56 feet;
14. thence S 24°44'37" E a distance of 4.16 feet;
15. thence S 10°13'05" W a distance of 16.93 feet;
16. thence S 19°01'53" W a distance of 43.817 feet;
17. thence N 24°43'29" W a distance of 57.52 feet;
18. thence N 02°34'29" W a distance of 50.51 feet;
19. thence N 17°36'42" E a distance of 57.23 feet;
20. thence N 23°04'54" E a distance of 15.58 feet;
21. thence N 10°13'05" E a distance of 33.85 feet;
22. thence N 51°21'28" E a distance of 144.42 feet;
23. thence N 80°01'14" E a distance of 245.49 feet;
24. thence S 75°30'49" E a distance of 122.70 feet;
25. thence N 89°25'09" E a distance of 54.63 feet;
26. thence N 22°31'41" E a distance of 55.35 feet;
27. thence N 51°17'35" E a distance of 30.98 feet;
28. thence S 87°20'19" E a distance of 69.22 feet;
29. thence S 43°32'09" E a distance of 88.00 feet;
30. thence N 87°52'49" E a distance of 154.45 feet;
31. thence N 68°03'04" E a distance of 185.03 feet to a point on the southerly boundary of said Reservoir Parcel as described in the Special Warranty Deed Recorded at Reception No. 18,220,0329;
thence N 53°11'01" W a distance of 639.38 along the boundary of said Reservoir Parcel to the Point of Beginning, said exception parcel containing 45.5703 acres more or less.

The total area of the Parcel of Land Containing Exemption Parcels 1 through 5 and 9 through 16, excluding the above described Exception Parcel 1 is 362.4482 acres more or less.

Rex Flats Exception Parcel:

As stated above, the Parcel of Land Containing Exemption Parcels 1 through 5 and 9 through 16 is also described as being all of Tract A as described in the Land Survey Plat titled Battle Mountain North Recorded at Reception No. 201814343, and excepting therefrom the following parcels: the Reservoir Parcel, the Dam Parcel and the Cross Creek Parcel as described in the Special Warranty Deed Recorded at Reception No. 202202329; the Inlet Parcel as described in said Special Warranty Deed Recorded at Reception No. 202202329 and as described in the Affidavit Concerning Conflicts in Descriptions of Land and Scrivener's Errors as Recorded at Reception No. 202203221; and the Rex Flats Area as described below and referenced herein.

Therefore, although the Exemption Plat does not include the Rex Flats Parcel, and the Rex Flats Parcel is not created by the Exemption Plat, for depicted purposes as stated above, the legal description for the Rex Flats Parcel is provided as follows:

A parcel of land located in Sections 1, 2, 11 and 12 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of the following parcels: a portion of H.E.S. 41, along with those portions of Mineral Survey 19856 - River Bend Mill Site situated westerly of the western right-of-way of U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787, along with those portions of the following parcels situated westerly of the western right-of-way for the Union Pacific Railroad as described in the D&RGW Right-of-Way and Track Map dated June 30, 1919: Mineral Survey 20043 - May No. 5 Lode; Mineral Survey 20257 - May No. 14 Lode; and Mineral Survey 19500 - Brooklyn Placer;
Said parcel being more particularly described as follows:
Beginning at corner number 8 of MS 19856 River Bend Mill Site, whence angle point 7 of H.E.S. 41 being an original stone monument bears S 08°01'50" E a distance of 285.50 feet; thence along line 8-9 of said Mineral Survey 19856 "River Bend Mill Site" N 73°03'36" E a distance of 114.40 feet to Angle Point 9 of said Mineral Survey 19856 "River Bend Mill Site"; thence along line 1-9 of said Mineral Survey 19856 "River Bend Mill Site" N 00°06'36" E a distance of 101.02 feet to a point on the southwesterly right-of-way of said U.S. Highway 24; thence along said southwesterly right-of-way of U.S. Highway 24, S 55°00'36" E a distance of 95.06 feet to a point on line 3-4 of said Mineral Survey 19856 "River Bend Mill Site"; thence along said line 3-4 of Mineral Survey 19856 "River Bend Mill Site" S 11°05'59" W a distance of 246.97 feet to a point on line 1-2 of Mineral Survey 20257 "May No. 14"; thence along said line 1-2 of Mineral Survey 20257 "May No. 14" N 38°36'30" E a distance of 23.65 feet to a point on the westerly right-of-way of Union Pacific Railroad as described in D&RGW Right-of-Way and Track Map dated June 30, 1919; thence the following four courses along said westerly right-of-way of Union Pacific Railroad, said right-of-way being parallel to and offset 25-feet westerly from the centerline of the main line of said Union Pacific Railroad as constructed and in place in the year of 2018:

1. S 14°36'28" W a distance of 130.66 feet;
2. thence 299.94 feet along the arc of a tangent curve to the right having a radius of 29,800.64 feet, a central angle of 00°34'36", and the chord bears S 14°53'46" W a distance of 259.94 feet;
3. thence 346.51 feet along the arc of a tangent curve to the right having a radius of 1,687.09 feet, a central angle of 11°46'05", and the chord bears S 21°04'06" W a distance of 345.90 feet;
4. thence 117.33 feet along the arc of a tangent curve to the right having a radius of 2,296.64 feet, a central angle of 02°55'28", and the chord bears S 28°24'35" W a distance of 117.31 feet to a point on the 5-6 line of the unpated Astor-Eureka Placer as described in the Location Certificate recorded in Book 8 Page 77;

Thence the following five courses along said westerly right-of-way of the Union Pacific Railroad as described:

1. thence along said 5-6 line S 89°10'02" W a distance of 66.59 feet to a line which is parallel to and offset 82-feet westerly from the centerline of the main line of said Union Pacific Railroad as constructed and in place in the year of 2018;
2. thence along said line which is parallel to and offset 82-feet westerly from the centerline of the main line of said Union Pacific Railroad as constructed and in place in the year of 2018, S 30°39'47" W a distance of 22.42 feet to the 6-1 line of said Astor-Eureka Placer;
3. thence along the 6-1 line of said Astor-Eureka Placer S 00°49'58" E a distance of 109.10 feet to a line which is parallel to and offset 25-feet westerly from the centerline of the main line of said Union Pacific Railroad as constructed and in place in the year of 2018;
4. thence S 30°39'47" W a distance of 25.00 feet along a line which is parallel to and offset 25.00 feet westerly from the centerline of the main line of said Union Pacific Railroad as constructed and in place in the year of 2018 to a point on the 1-2 line of the unpated Henry Clay Lode as described in the Location Certificate recorded in Book 7 Page 289;
5. thence along said 1-2 line of the Henry Clay Lode N 13°07'52" W a distance of 39.09 feet to a point on a line which is parallel to and offset 100.00 feet westerly from the centerline of the eastern corridor of said Union Pacific Railroad;

Thence N 53°11'20" W a distance of 209.22 feet to a point on the centerline of the Eagle River;

Thence the following 14 courses along the centerline of the Eagle River:

1. thence N 39°30'16" W a distance of 132.00 feet;
 2. thence N 02°46'58" W a distance of 158.00 feet;
 3. thence N 15°15'48" W a distance of 154.00 feet;
 4. thence N 16°33'40" W a distance of 326.72 feet;
 5. thence N 11°12'54" W a distance of 374.00 feet;
 6. thence N 24°25'48" W a distance of 132.00 feet;
 7. thence N 07°08'39" W a distance of 140.00 feet;
 8. thence N 19°18'51" E a distance of 106.00 feet;
 9. thence N 38°27'22" E a distance of 172.00 feet;
 10. thence N 33°39'49" E a distance of 356.87 feet;
 11. thence N 40°53'42" E a distance of 200.00 feet;
 12. thence N 76°34'22" E a distance of 74.00 feet;
 13. thence S 88°07'22" E a distance of 508.06 feet;
 14. thence N 58°05'40" E a distance of 123.33 feet to a point on line 7-8 of said H.E.S. No. 41;
- thence along said line 7-8 of said H.E.S. No. 41 S 08°01'50" E a distance of 387.68 feet to corner number 8 of said MS 19856 River Bend Mill Site, said point also being the Point of Beginning; said exception parcel containing 43.7795 acres more or less.

Parcel 8 Legal Description

A parcel of land located in Section 1 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Mineral Survey 20461 Ruby and Sapphire Lodes situated easterly of the eastern right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787 and westerly of the western right-of-way of the Union Pacific Railroad as described in D&RGW Right-of-Way and Track Map dated June 30, 1919; said parcel also being described as all of Tract B as described in the Land Survey Plat titled Battle Mountain North Recorded at Reception No. 201814343; said parcel being more particularly described as follows:
Beginning at a point on the 1-2 line of Mineral Survey 20461 Sapphire Lode and the intersection of the western right-of-way of the Union Pacific Railroad, whence the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap bears N 65°38'07" W a distance of 4,268.70 feet; thence the following three courses along said west right-of-way of the Union Pacific Railroad:

1. S 19°12'15" E a distance of 625.71 feet;
2. 147.38 feet along the arc of a tangent curve to the right having a radius of 3365.06 feet, a central angle of 05°23'34", and the chord bears S 17°57'58" E a distance of 147.37 feet;
3. 301.02 feet along the arc of a tangent curve to the right having a radius of 1,286.60 feet, a central angle of 13°24'19", and the chord bears S 10°00'31" E a distance of 300.34 feet to a point on the 2-3 line of said Mineral Survey 20461 Ruby Lode;
- thence along said 2-3 line of Mineral Survey 20461 Ruby Lode N 53°53'33" W a distance of 246.47 feet to a point on the easterly right-of-way of U.S. Highway 24; thence the following five courses along said easterly right-of-way of U.S. Highway 24:
1. 526.05 feet along the arc of a non tangent curve to the left having a radius of 994.91 feet, a central angle of 30°17'42", and the chord bears N 09°19'47" W a distance of 519.95 feet;
2. N 24°28'38" W a distance of 137.00 feet;
3. 82.80 feet along the arc of a tangent curve to the left having a radius of 880.00 feet, a central angle of 05°23'27", and the chord bears N 27°10'21" W a distance of 82.77 feet;
4. 68.95 feet along the arc of a tangent curve to the right having a radius of 720.00 feet, a central angle of 05°29'13", and the chord bears S 14°27'54" W a distance of 68.92 feet;
5. N 24°22'53" W a distance of 40.00 feet to a point on the 1-2 line of Mineral Survey 20461 Ruby Lode;
- thence along said 1-2 line of Mineral Survey 20461 Ruby Lode N 59°21'27" E a distance of 86.36 feet to corner number 1 of Mineral Survey 20461 Ruby Lode said point also being corner number 1 of Mineral Survey 20461 Sapphire Lode; thence along the 1-2 line of said Mineral Survey 20461 Sapphire Lode N 59°21'07" E a distance of 55.60 feet to the point of beginning, Parcel 8 containing 2.8116 acres more or less.

Parcel 7 Legal Description

A parcel of land located in Section 1 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Homestead Entry Survey (H.E.S.) 40 and Mineral Survey 20461 Puritan Lode situated easterly of the eastern right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787 and westerly of the western right-of-way for Union Pacific Railroad; said parcel also being described as all of Tract C as described in the Land Survey Plat titled Battle Mountain North Recorded at Reception No. 201814343; said parcel being more particularly described as follows:

- Beginning at Corner No. 2 of said H.E.S. 40, whence the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap bears N 52°43'19" W a distance of 5,129.97 feet; thence along the 2-3 line of said H.E.S. 40 S 20°12'45" W a distance of 192.30 feet to a point on the 1-2 line of Mineral Survey 20461 Puritan Lode; thence along said 1-2 line of Mineral Survey 20461 Puritan Lode N 52°22'30" E a distance of 155.36 feet to a point on the western right-of-way of the Union Pacific Railroad as described in D&RGW Right-of-Way and Track Map dated June 30, 1919; thence along said western right-of-way of the Union Pacific Railroad the following two courses:
1. 26.42 feet along the arc of a non tangent curve to the right having a radius of 2408.63 feet, a central angle of 00°37'43", and the chord bears S 14°03'37" W a distance of 26.42 feet;
 2. 184.39 feet along the arc of a tangent curve to the right having a radius of 58445.82 feet, a central angle of 00°10'51", and the chord bears S 14°27'54" W a distance of 184.39 feet to a point on the 2-3 line of the Mineral Survey 20461 Puritan Lode;
 - thence along said 2-3 line of the Mineral Survey 20461 Puritan Lode N 45°06'44" W a distance of 131.43 feet to the 2-3 line of said H.E.S. 40; thence along said 2-3 line of said H.E.S. 40 S 20°12'45" W a distance of 927.03 feet to a point on the eastern right-of-way of U.S. Highway 24; thence the following four courses along said eastern right-of-way of U.S. Highway 24:
 1. N 01°30'38" W a distance of 546.66 feet;
 2. 309.80 feet along the arc of a tangent curve to the right having a radius of 676.20 feet, a central angle of 26°15'00", and the chord bears N 11°36'52" E a distance of 307.10 feet;
 3. N 24°44'22" E a distance of 422.47 feet;
 4. 160.49 feet along the arc of a non tangent curve to the left having a radius of 994.91 feet, a central angle of 09°14'33", and the chord bears N 20°07'06" E a distance of 160.32 feet to a point on the 1-2 line of said H.E.S. 40;
 - thence along said 1-2 line of said H.E.S. 40 S 21°45'19" E a distance of 321.76 feet; to the point of beginning, Parcel 7 containing 5.5781 acres more or less.

Parcel 6 Legal Description

A parcel of land located in Section 1 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Mineral Survey 19856 - River Bend Mill Site situated easterly of the eastern right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787; said parcel also being described as all of Tract D as described in the Land Survey Plat titled Battle Mountain North Recorded at Reception No. 201814343; said parcel being more particularly described as follows:
Beginning at Corner No. 2 of said River Bend Mill Site, being a 2-1/2" U.S. D. Aluminum Cap marked "MS 19856 L 7235 1986", whence the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap bears N 40°38'51" W a distance of 5,894.14 feet; thence along the 2-3 line of said River Bend Mill Site S 15°52'59" W a distance of 381.86 feet to a point on the eastern right-of-way of U.S. Highway 24; thence the following four courses along the easterly right-of-way of U.S. Highway 24:

1. 82.50 feet along the arc of a non tangent curve to the right having a radius of 646.20 feet, a central angle of 07°18'55", and the chord bears N 05°10'06" W a distance of 82.45 feet;
2. N 01°30'38" W a distance of 282.09 feet;
3. S 88°29'22" W a distance of 30.00 feet;
4. N 01°30'38" W a distance of 4.25 feet to a point on the 1-2 line of said River Bend Mill Site;
- thence S 89°53'21" E a distance of 149.47 feet along said 1-2 line of said River Bend Mill Site to the point of beginning, Parcel 6 containing 0.5254 acres more or less.

The total area of Land included within the Exemption Plat, and Containing Exemption Parcels 1 through 16, is 371.3632 acres more or less.

SURVEY NOTES:

1. The bearings shown hereon are based on a bearing of N 89°58'35" E along the South line of Section 36, Township 5 South, Range 81 West of the 6th Principal Meridian as measured between the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap found in place and the South Quarter corner of said Section 36 being a 2-1/2 inch GLO Brass Cap found in place. The measured distance between the Southwest corner and the South Quarter corner of said Section 36 is 2,694.09 feet.
2. The unit of measure for this survey is the U.S. Survey Foot.
3. The field measurements and observations for this survey will be performed in May of 2024.
4. The Highway 24 Right of Way depicted hereon is based on the Colorado Department of Transportation U.S. Highway 24 Boundary Agreement approved July 20, 2018 and recorded in the Eagle County Clerk and Recorder's office July 27, 2018 at reception number 201812787, which amends FAP 292-B revised plat dated January 29, 1929, FAP 78-R Right of Way Map No. 1A revised plat dated September 11, 1929, FAP No. BRF 024-(124) revised plat dated July 28, 1989, FAP No. 182-A(2) revised plat dated September 29, 1939.

5. This survey is based on a Title Commitment prepared by Title Company of the Rockies, Inc. dated February 29, 2024, Commitment Number 0621653-C2, Name of Insured: Battle North, LLC, a Georgia limited liability company.
6. Portions of the property boundary depicted and described on this survey are based on the boundary of the following U.S. Mineral Surveys and Homestead Entry Surveys (H.E.S.): The record number of the Mineral Survey or H.E.S. parcel is shown on the plat for each parcel as filed with the U.S. Surveyor General's Office and currently on record with U.S. Department of Interior - Bureau of Land Management:

U.S. Mineral Survey Number	Mineral Survey Name(s)	Date of Approval by the Surveyor General's Office	Mineral Claim Patent Date
19500	Brooklyn Placer	May 18, 1915	November 18, 1916
19566	General Peshing	March 29, 1919	March 16, 1921
19856	River Bend Mill Site	March 29, 1919	July 27, 1920
20461	Puritan, Ruby, and Sapphire	March 29, 1931	March 25, 1932
20712	Treasury Vault Mill Site, Goldstar Mill Site	August 11, 1944	March 21, 1950
20745	Mars Mill Site	November 2, 1951	March 3, 1954
20745	Homestead Entry Survey (H.E.S.) 40	June 10, 1911	March 7, 1912
20745	Homestead Entry Survey (H.E.S.) 41	June 10, 1911	March 7, 1912
20745	Homestead Entry Survey (H.E.S.) 46	June 10, 1911	May 16, 1912

7. Item 7 on Schedule B of the Title Commitment refers to the reservation of the Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as reserved in United States Patent recorded as follows:

Date of Recording	Book	Page	Mineral Survey Name(s)
November 25, 1912	48	582	Homestead Entry Survey (H.E.S.) 40
November 25, 1912	48	581	Homestead Entry Survey (H.E.S.) 41
November 25, 1912	93	3	Homestead Entry Survey (H.E.S.) 46

8. Item 8 on Schedule B of the Title Commitment refers to the reservation rights of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent recorded as follows:

Date of Recording	Book	Page	Mineral Survey Name(s)
November 25, 1912	48	582	Homestead Entry Survey (H.E.S.) 40
November 25, 1912	48	581	Homestead Entry Survey (H.E.S.) 41
November 25, 1912	93	3	Homestead Entry Survey (H.E.S.) 46

9. Item 9 on Schedule B of the Title Commitment refers to an Easement and right of way for the maintenance and full, free and quiet use and enjoyment by the State of Colorado for any and all purposes by it desired or deemed necessary or beneficial, as a public highway, as granted by Price Mining Syndicate, a Trust to the State of Colorado by instrument recorded November 1930, in Book 116 at Page 570. The legal description included in this document refers to easement and rights-of-way parcels situated in Section 19, Township 6 South, Range 80 West, 8th P.M., which is more generally described as being adjacent to the Town of Red Cliff, Colorado. These easements do not affect any portion of this survey and are therefore not depicted hereon.

10. Item 10 on Schedule B of the Title Commitment refers to an Easement and right of way for use as a road, including specifically but not limited to the "proposed Tigwicon Road", as granted by The New Jersey Zinc Company, a New Jersey corporation to the County of Eagle, State of Colorado by instrument recorded October 24, 1949, in Book 135 at Page 72. The easement and right-of-way described in this document affects H.E. Surveys 40 and 41, and U.S. Mineral Survey No. 19500-Brooklyn Placer, and is depicted hereon.

11. To the extent applicable, the property may be subject to a Water Rights Agreement between Glenn T. Miller, Battle Mountain Corporation, a Colorado corporation, Gulf & Western Industries, Inc., and State Savings & Loan Association of Lubbock recorded September 12, 1983, in Book 368 at Page 80 as referred to in Item 11 on Schedule B of the Title Commitment.

12. To the extent applicable, the property may be subject to the Revised Consent Decrees in that certain action entitled "State of Colorado, Plaintiff, vs. Gulf & Western Industries, Inc., et al., Defendants", Civil Action No. 83-C-2387, in the United States District Court for the District of Colorado, recorded July 23, 1986, in Book 445 at Pages 683 and 684 as referred to in Item 12 on Schedule B of the Title Commitment. These consent decrees generally provide for access to and use of the property by the State of Colorado for the purpose of performing or causing to be performed all actions designed to accomplish the purpose of the Remedial Action Plan or other Response Action. The approximate areal extent of the Consolidated Tailings Pile, Tailings Ponds and Treatment Facilities are depicted hereon. Also the existing access road and the existing trellis structure and mine discharge conveyance pipeline alignment are also depicted hereon.

13. Item 13 on Schedule B of the Title Commitment refers to an Easement and/or right of way for U.S. Highway 24, which is depicted hereon. The right-of-way for U.S. Highway 24 depicted hereon is based on the following right-of-way plats and maps:
 - a. State Department of Highways - Division of Highways - State of Colorado - Right of Way Plan of Proposed Federal Aid Project No. BRF 024-(124), dated 7-28-1939;
 - b. Colorado State Highway Department - Plan and Profile of Proposed Federal Aid Project No. 78-R - State Highway No. 4 - Eagle County - Right of Way Map No. 1A - Revised September 11, 1929
 - c. Colorado State Highway Department - Plan and Profile of Proposed Federal Aid Project No. 292-B - State Highway No. 4 - Eagle County - Revised January 29, 1929

These easements and rights-of-way for U.S. Highway 24 are amended in accordance with the aforementioned Colorado Department of Transportation U.S. Highway 24 Boundary Line Agreement and affect the parcel known as the "Nelsson Addition" as described in Book 131 Page 76, H.E.S. 46, H.E.S. 40, U.S. Mineral Survey Nos. 19856 - River Bend Mill Site, 20257 - May No. 14, and 20461 - Ruby, Puritan, and Sapphire Lodes.

14. Item 14 on Schedule B of the Title Commitment refers to an Easement and right of way for "Tigwicon Road", as constructed by the United States of America, insofar as the same affects subject Book 135 Page 76, including specifically but not limited to U.S. Mineral Survey No. 20745. An easement as described in Book 135 Page 76, as depicted and described on the plat of Battle Mountain Annexation Map, filed March 27, 2008 at Reception No. 200806723, is depicted hereon. This easement affects H.E.S. 40, H.E.S. 41 and U.S. Mineral Survey No. 19500 - Brooklyn Placer. The current physical location of the roadway for Tigwicon Road also traverses U.S. Mineral Survey No. 20745 - Mars Mill Site. However, we have found no recorded deed for this segment of the roadway. The physical location of Tigwicon Road across MS 20745 is depicted hereon.

15. Item 15 on Schedule B of the Title Commitment refers to those terms, agreements, provisions, conditions and obligations that are a burden to the subject property, as contained in Covenant Running with the Land recorded February 11, 1997, in Book 718 at Page 367. Generally, this document describes releases, covenants, terms and provisions related to the presence, handling, disposal and use of certain hazardous materials in the vicinity of the property and the adjacent lands in connection with mining operations that is the responsibility of Viacom International Inc., through its predecessors in interest. Said covenants are related to the Civil Action No. 90-S-1561 (the "Action"), in the United States District Court for the District of Colorado. These covenants and the "Action" may pertain to the existence, maintenance, monitoring and operation of the Consolidated Tailings Pile, Tailings Ponds, Treatment Facilities, the access road to the Treatment Facilities, and the existing trellis structure and mine discharge conveyance pipeline located on the subject property. The approximate areal extent of the Consolidated Tailings Pile, Tailings Ponds and Treatment Facilities are depicted hereon. Also the existing access road and the existing trellis structure and mine discharge conveyance pipeline alignment are also depicted hereon.

16. Item 16 on Schedule B of the Title Commitment refers to an easement and right of way to construct, operate, maintain, repair and replace utility lines and all fixtures and devices, as granted by Tigwicon Properties, L.L.C. to Public Service Company of Colorado, by instrument recorded November 8, 2004, at Reception No. 897063. The easement and right-of-way described in this document affects the portion of the subject property known as the "Nelsson Addition" as described in Book 131 Page 76, and is depicted hereon.

17. Item 17 on Schedule B of the Title Commitment refers to an easement and right of way to construct, operate, maintain, repair and replace gas meter station/regulator station and related appurtenances, as granted by Tigwicon Properties, L.L.C. to Public Service Company of Colorado, by instrument recorded November 8, 2004, at Reception No. 897064. The easement and right-of-way described in this document affects the portion of the subject property known as the "Nelsson Addition" as described in Book 131 Page 76, and is depicted hereon.

18. Item 18 on Schedule B of the Title Commitment refers to easements, rights of way and all other matters as shown on the plat of Battle Mountain Annexation Map, filed March 27, 2008 at Reception No. 200806723 and Affidavit recorded July 1, 2008 at Reception No. 200813863. This Affidavit of registered surveyor Brent Biggs corrects conflicts in descriptions of land and scrivener's errors particular to Battle Mountain Annexation Parcel No. 4 as depicted and described on the plat of Battle Mountain Annexation Map, filed March 27, 2008 at Reception No. 200806723. Parcels 1-16 depicted on this Exemption Plat are areas of land that have previously been annexed to the Town of Minturn as a result of the Battle Mountain Annexation Map being recorded on March 27, 2008 at Reception No. 200806723.

19. Item 19 on Schedule B of the Title Commitment refers to terms, agreements, provisions, conditions and obligations as contained in Ordinance No. 2, Series of 2008 recorded March 27, 2008 at Reception No. 200806727 and Affidavit recorded July 1, 2008 at Reception No. 200813859. This Affidavit of registered surveyor Brent Biggs corrects conflicts in descriptions of land and scrivener's errors particular to Battle Mountain Annexation Parcel No. 5 as depicted and described on the plat of Battle Mountain Annexation Map and also the legal description in the Ordinance No. 2, Series of 2008 - An Ordinance Annexing to the Town of Minturn, County of Eagle, State of Colorado, Battle Mountain Annexation Map, filed March 27, 2008 at Reception No. 200806723. The property shown on this Exemption Plat appears to be subject to said Ordinance No. 2-Series 2008 - An Ordinance Annexing to the Town of Minturn, County of Eagle, State of Colorado, Battle Mountain Annexation Parcel No. 2.

20. Item 20 on Schedule B of the Title Commitment refers to terms, agreements, provisions, conditions and obligations as contained in Ordinance No. 4, Series of 2008 recorded March 27, 2008 at Reception No. 200806731. The property shown on this Exemption Plat appears to be subject to said Ordinance No. 4-Series 2008 - An Ordinance Annexing to the Town of Minturn, County of Eagle, State of Colorado, Battle Mountain Annexation Parcel No. 4.

21. Item 21 on Schedule B of the Title Commitment refers to terms, agreements, provisions, conditions and obligations as contained in Ordinance No. 5, Series of 2008, recorded March 27, 2008 at Reception No. 200806733 and Affidavit recorded July 1, 2008 at Reception No. 200813861. This Affidavit of registered surveyor Brent Biggs corrects conflicts in descriptions of land and scrivener's errors particular to the Battle Mountain Annexation Parcel No. 6 as depicted and described on the plat of Battle Mountain Annexation Map, filed March 27, 2008 at Reception No. 200806723 and the Ordinance No. 5, Series of recorded March 27, 2008 at Reception No. 200806733. Parcel 5 of said Battle Mountain Annexation Map is outside of the property depicted on this Exemption Plat and therefore, this Exemption Plat appears not to be subject to said Ordinance No. 5, Series of 2008.

22. Item 22 on Schedule B of the Title Commitment refers to terms, agreements, provisions, conditions and obligations as contained in Ordinance No. 6, Series of 2008 recorded March 27, 2008 at Reception No. 200806735, Ordinance 6, Series of 2008 - An Ordinance Annexing to the Town of Minturn, County of Eagle, State of Colorado, Battle Mountain Annexation Map and also the legal description in the Ordinance No. 6, Series of 2008 - An Ordinance Annexing to the Town of Minturn, County of Eagle, State of Colorado, Battle Mountain Annexation Map, filed March 27, 2008 at Reception No. 200806723. Parcel 6 is outside of the property depicted on this Exemption Plat and therefore, this plat appears not to be subject to said Ordinance No. 6, Series of 2008.
23. Item 23 on Schedule B of the Title Commitment refers to terms, agreements, provisions, conditions and obligations as contained in Ordinance No. 7, Series of 2008 recorded March 27, 2008 at Reception No. 200806737, Ordinance 7, Series of 2008 - An Ordinance Annexing to the Town of Minturn, County of Eagle, State of Colorado, Battle Mountain Annexation Parcel No. 7, describes Parcel 7 which is depicted and described on the plat of Battle Mountain Annexation Map, filed March 27, 2008 at Reception No. 200806723. Parcel 7 is outside of the property depicted on this Exemption Plat and therefore, this plat appears not to be subject to said Ordinance No. 6, Series of 2008.

24. Item 24 on Schedule B of the Title Commitment refers to terms, agreements, provisions, conditions and obligations as contained in Ordinance No. 8, Series of 2008 recorded March 27, 2008 at Reception No. 200806739 and Affidavit recorded July 1, 2008 at Reception No. 200813863. This Affidavit of registered surveyor Brent Biggs corrects conflicts in descriptions of land and scrivener's errors particular to the Battle Mountain Annex

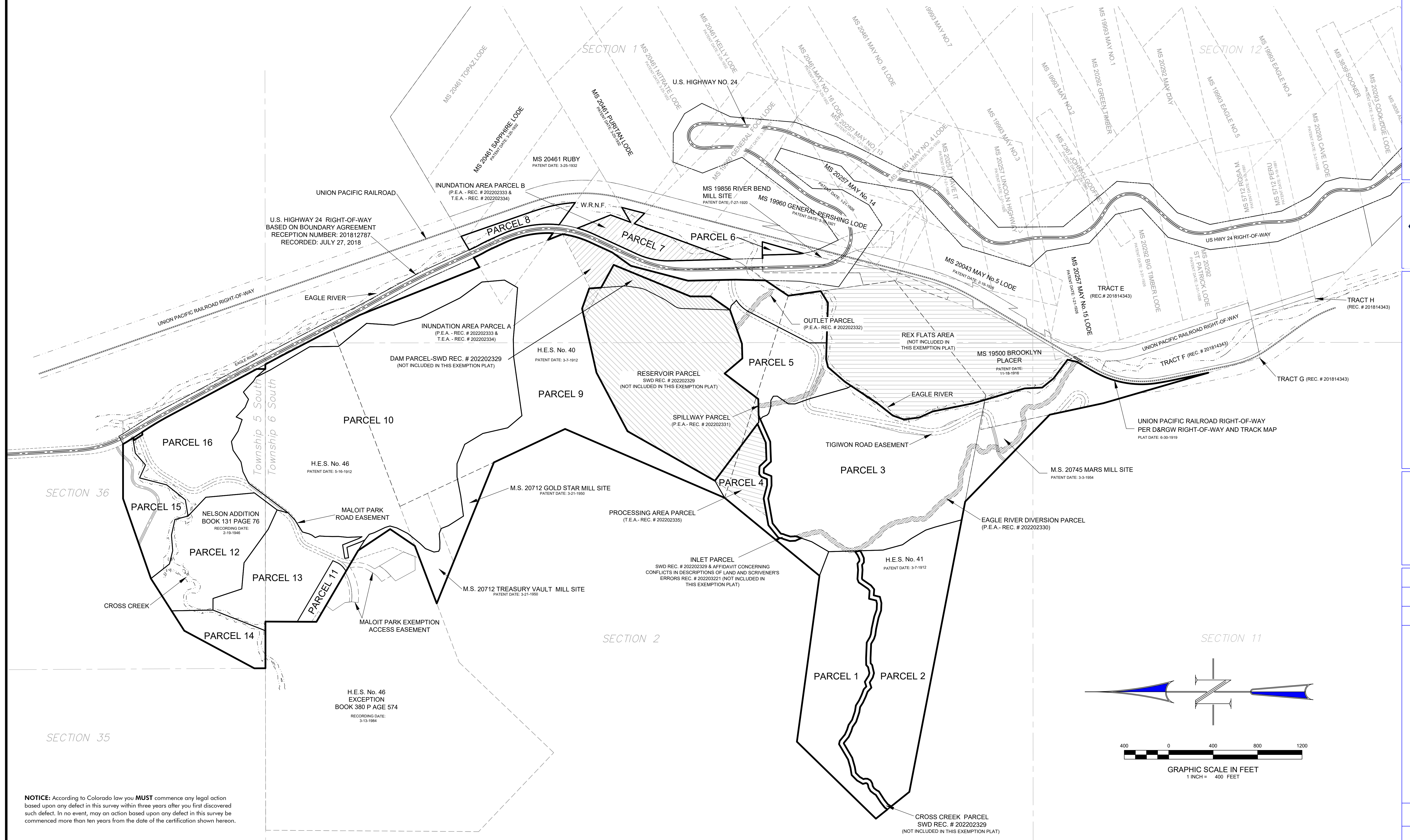
Sixteen parcels of land located in Sections 1, 2, and 11 of Township 6 South, Range 81 West of the Sixth Principal Meridian, Eagle County, Colorado and Section 36 of Township 5 South, Range 81 West of the Sixth Principal Meridian, Eagle County, Colorado

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GAMBA & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
970/945-2550 WWW.GAMBAENGINEERING.COM
1001 GRAND AVE., UNIT. 003 P.O. BOX 1458 GLENWOOD SPRINGS, CO 81602



SHEET: **3 OF 12** PROJECT: **05554-04** CHKD BY: **MUG**
 DRAWING: **Exemption Plat Cover Sheet 20240621.dwg**
 DIRECTORY: **I:\GWFP\05554\2024-Exemption Plat**

[illegible]

NOTICE: According to Colorado law you **MUST** commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may an action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

- FOUND 2-1/2" BRASS G.L.O. MONUMENT
- FOUND 1-1/2" ALUMINUM MONUMENT WITH P.L.S. AS NOTED
- FOUND 3-1/4" ALUMINUM U.S.D.A. OR CDOT MONUMENT AS NOTED
- FOUND UNMARKED REBAR
- FOUND ORIGINAL STONE MONUMENT
- FOUND 1-1/2" ALUMINUM MONUMENT PE & PLS 28036
- SET 1-1/2" ALUMINUM MONUMENT PE & PLS 28036
- END OF LINE SEGMENT OR ARC - PROVIDED FOR DIMENSIONING PURPOSES ONLY - NO MONUMENT SET
- FOUND CDOT TYPE 1 RIGHT-OF-WAY MARKER
- FOUND 2" ALUMINUM MONUMENT, PE & PLS #28036
- FOUND 2" ALUMINUM MONUMENT, PLS #23089

PARCEL 12
728,815 S.F.
16.731 ACRES

PARCEL 15
359,992 S.F.
8.264 ACRES

PARCEL 16
767,598 S.F.
17.622 ACRES

Cross Creek

Eagle River

U.S. Highway 24

NELSON ADDITION
BOOK 131 PAGE 76
RECORDING DATE:
2-19-1946

CDOT RIGHT-OF-WAY PER BOUNDARY AGREEMENT
RECEPTION NUMBER:
201812787
RECORDED: JULY 7, 2018

TOWN OF MINTURN WATER PIPELINE EASEMENT
10.00 FEET WIDE
BOOK 140 PAGE 115

EXISTING ACCESS ROAD FOR TOWN OF MINTURN WATER DIVERSION STRUCTURE AND TREATMENT PLANT. (NO DEED FOUND)

AREA OF APPARENT ENCROACHMENT OUTSIDE OF DESCRIBED EASEMENT

GRAPHIC SCALE IN FEET
1 INCH = 50 FEET

NOTICE: According to Colorado law you **MUST** commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may an action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

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SCALE: 1" = 50'	DATE: JUNE 21, 2024	DRAWN BY: BK
SHEET: 5 OF 12	PROJECT: 05554-04	CHKD BY: NUG
DRAWING: Benite North LLC Exemption Plan - 20240624.dwg		
DIRECTORY: H:\GWFF\05554\2024-Exemption Plan\		

DRAWING: Battle North LLC Exemption Plat- 20240
 DIRECTORY: I:\GWWF\05554\2024-Exemption Plat\

REV	DATE	REVISION			
NO.		MADE	CHKD	APPD	
		BY	BY	BY	

BATTLE NORTH LLC.

GAMBA & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS

970/945-2550 WWW.GAMBAENGINEERING.COM
1001 GRAND AVE., UNIT. 003 P.O. BOX 1458 GLENWOOD SPRINGS, CO 81602



EXEMPTION PLAT

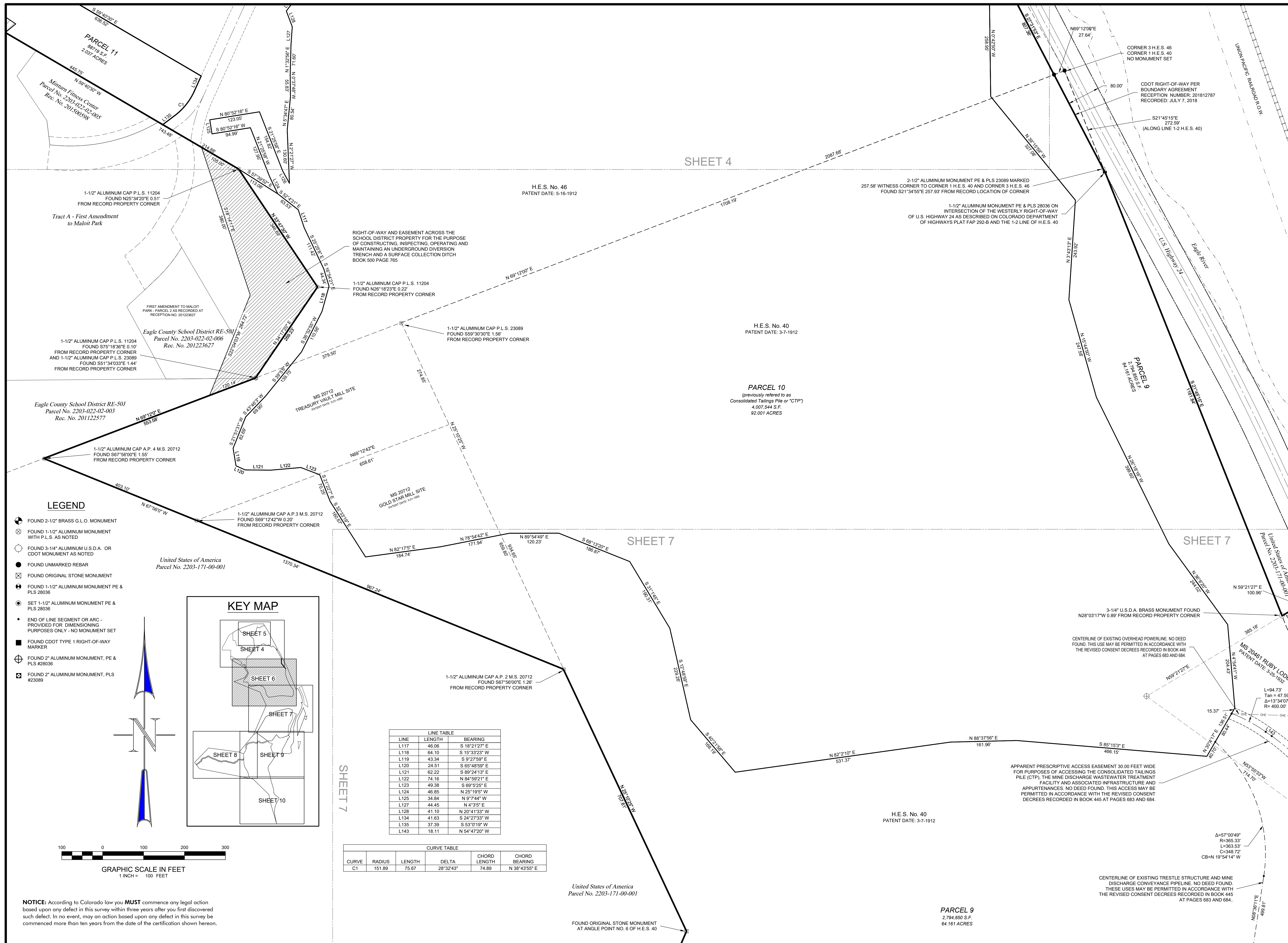
SCALE: 1" = 100' DATE: JUNE 21, 2024 DRAWN BY: BK

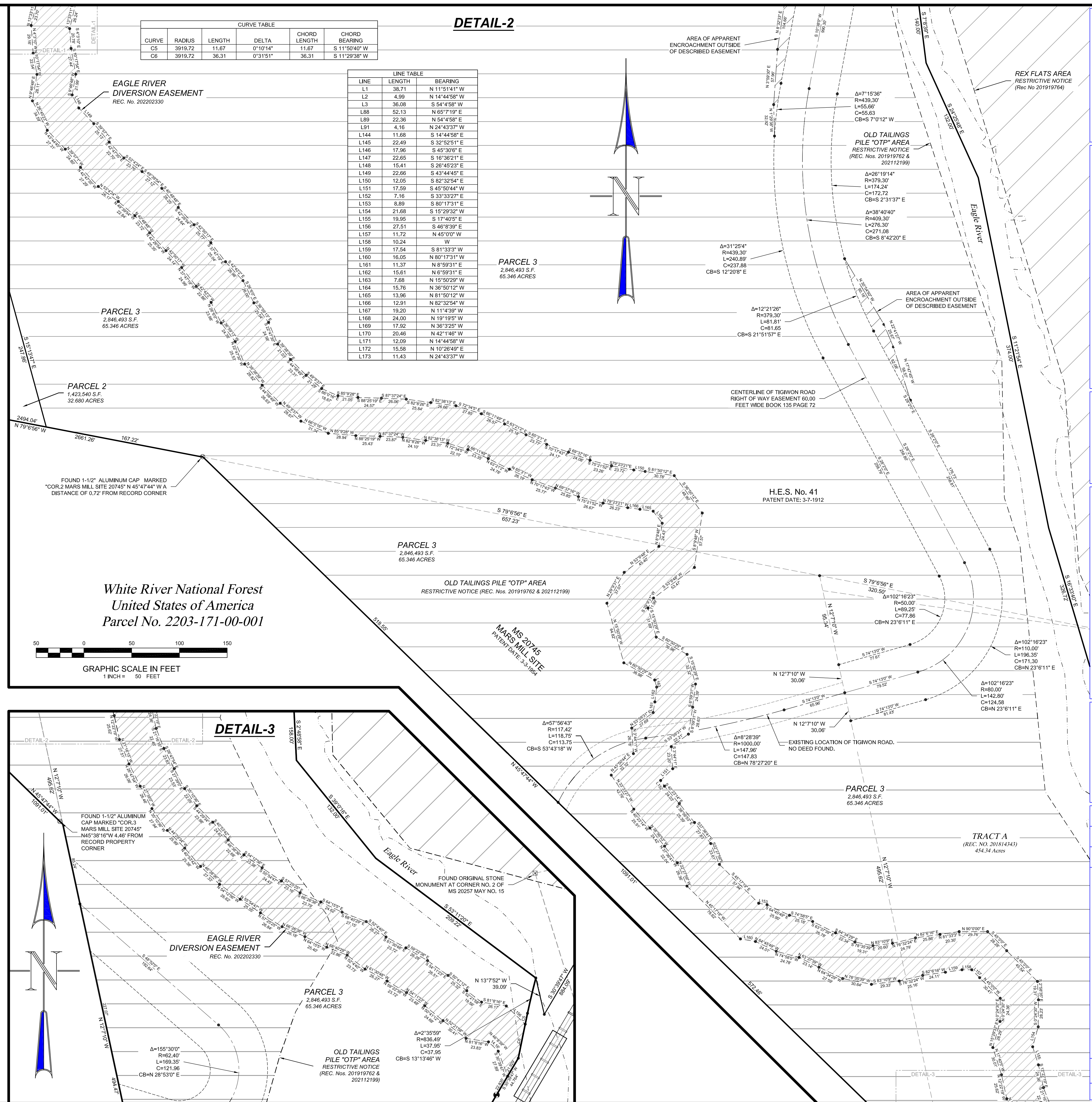
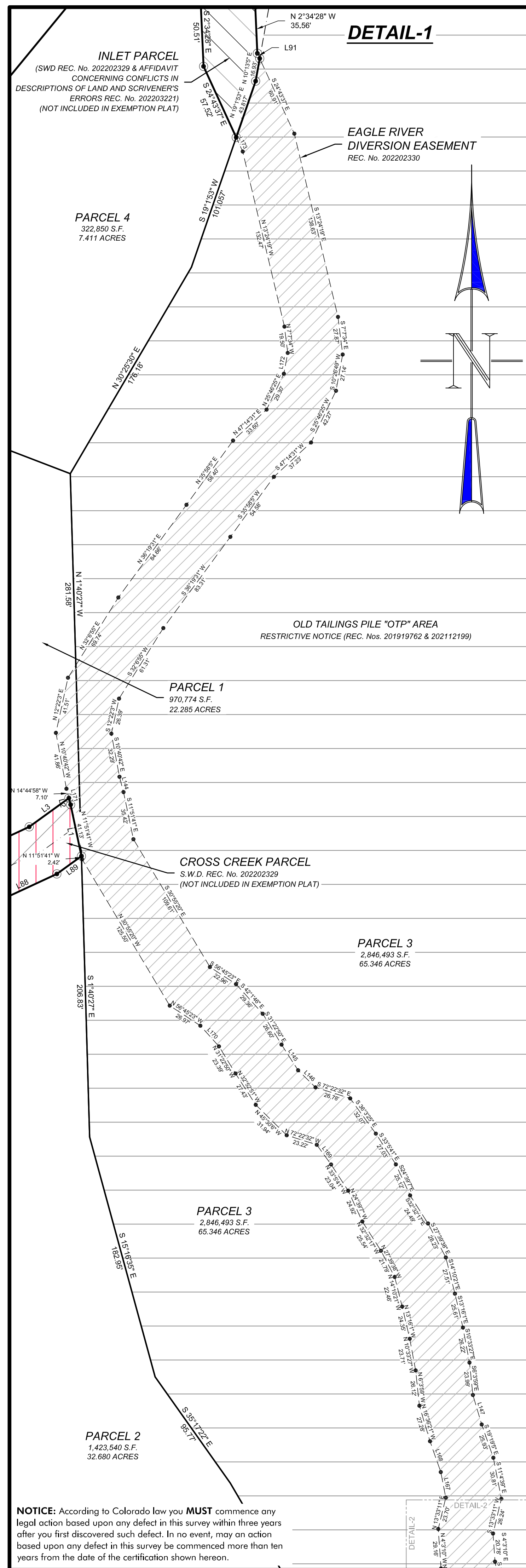
DRAWING: Duffin North H/C Examination Plot 00260424.dwg
 SHEET: 6 OF 12 PROJECT: 05554-2024 CHKD BY: NJG

DRAWING: Battle North LLC Exemption Plat- 20240624.dwg

DRAWING: BULME NORM E.C. EXEMPTION PLAN: 202406

DIRECTORY: I:\GWFE\05554\2024-Exemption Plan\

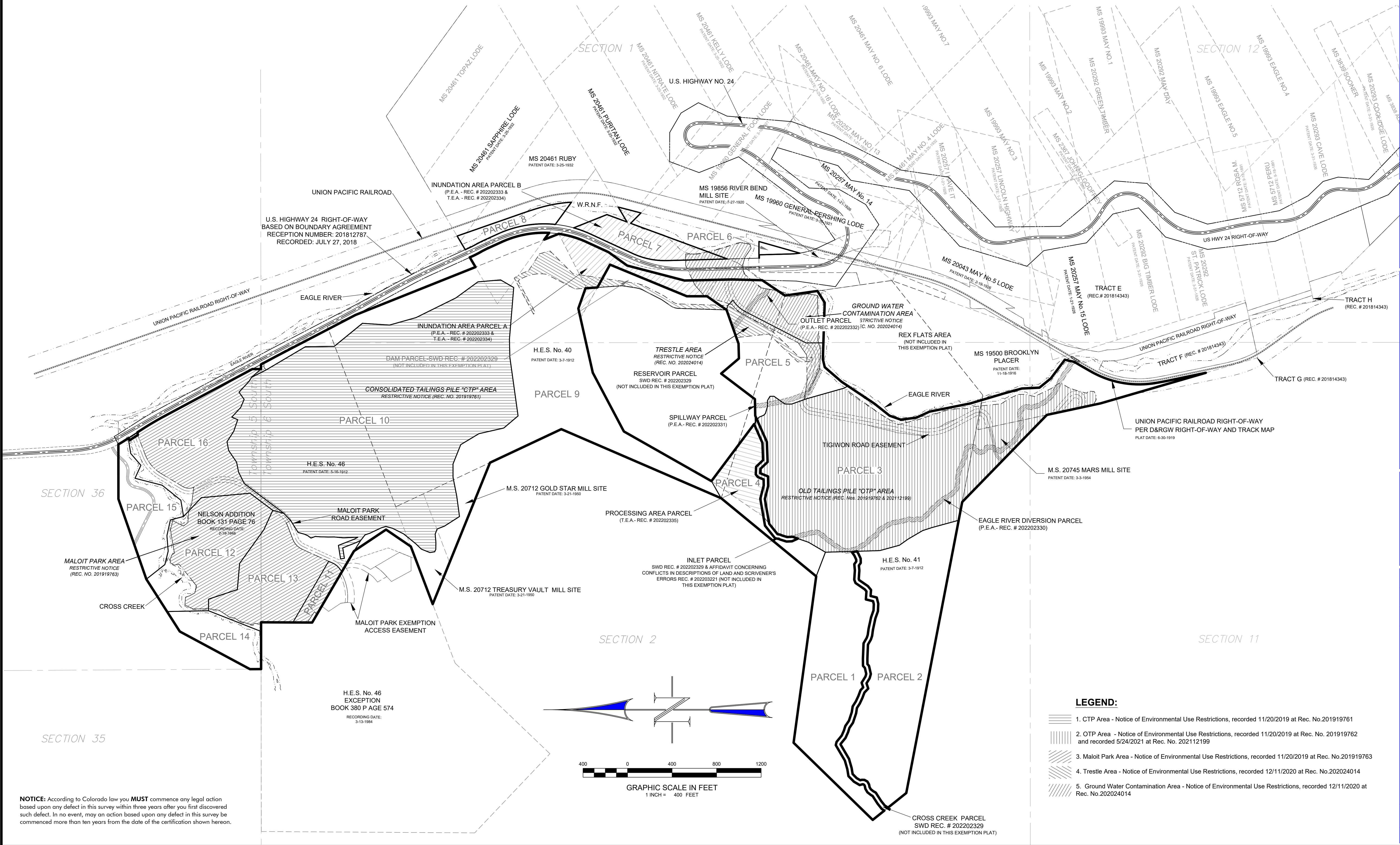
[illegible]



BATTLE MOUNTAIN NORTH EXEMPTION PLAT

RESTRICTIVE NOTICE AREAS

The hatched areas of the property labeled as the Old Tailings Pile "OTP" Area, Trestle Area, Ground Water Contamination Area, Maloit Park Area, and the Consolidated Tailings Pile "CTP" Area are subject to a Notice of Environmental Use Restrictions imposed by the Colorado Department of Public Health and Environment pursuant to sections 25-15-321.5, Colorado Revised Statutes



NOTICE: According to Colorado law you **MUST** commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may an action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

- LEGEND:**
- 1. CTP Area - Notice of Environmental Use Restrictions, recorded 11/20/2019 at Rec. No.201919761
 - 2. OTP Area - Notice of Environmental Use Restrictions, recorded 11/20/2019 at Rec. No. 201919762 and recorded 5/24/2021 at Rec. No. 202112199
 - 3. Maloit Park Area - Notice of Environmental Use Restrictions, recorded 11/20/2019 at Rec. No.201919763
 - 4. Trestle Area - Notice of Environmental Use Restrictions, recorded 12/11/2020 at Rec. No.202024014
 - 5. Ground Water Contamination Area - Notice of Environmental Use Restrictions, recorded 12/11/2020 at Rec. No.202024014

SHEET NO.

12

BATTLE NORTH LLC.

GAMBA & ASSOCIATES, INC.
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1001 GRAND AVE., UNIT. 003 P.O. BOX 1458 GLENWOOD SPRINGS, CO 81602

GAMBA
ENGINEERING
& SURVEYING

EXEMPTION PLAT

SCALE: 1" = 400'

DATE: JUNE 21, 2024

PROJECT: 0555-04

DRAWING: Example Plat Case Sheet 2020042.dwg

DIRECTORY: E:\GWP\0555\4\2024\Exemption Plat

1

4/17/2024

REV

NO.

DATE

REVISION

MADE BY

CHKD BY

APD BY

DRAWN BY: BK

CHECKED BY: MUG